

ORIGINAL

KELLEY DRYE & WARREN LLP

A LIMITED LIABILITY PARTNERSHIP

1200 19<sup>TH</sup> STREET, N.W.

SUITE 500

WASHINGTON, D.C. 20036

(202) 955-9500

ORIGINAL

FACSIMILE

(202) 955-9792

www.kelleydrye.com

NEW YORK, NY

TYSONS CORNER, VA

LOS ANGELES, CA

CHICAGO, IL

STAMFORD, CT

PARSIPPANY, NJ

BRUSSELS, BELGIUM

HONG KONG

AFFILIATE OFFICES

BANGKOK, THAILAND

JAKARTA, INDONESIA

MANILA, THE PHILIPPINES

MUMBAI, INDIA

TOKYO, JAPAN

January 24, 2003

STEVEN A. AUGUSTINO

DIRECT LINE (202) 955-9608

E-MAIL: saugustino@kelleydrye.com

RECEIVED

JAN 24 2003

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

VIA COURIER

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

Re: SNiP LiNK, LLC  
WCB Docket Nos. 01-338, 96-98, 98-147  
Notice of *Ex Parte* Presentation

Dear Ms. Dortch:

Pursuant to Section 1.1206 of the Commission's rules, SNiP LiNK, LLC ("SNiP"), by its undersigned counsel, hereby gives notice that on January 23, 2003, its representatives met with Commissioner Kevin J. Martin and Daniel Gonzalez, Senior Legal Advisor to Commissioner Martin, to discuss SNiP's views on the FCC UNE Triennial Review proceeding. Representing SNiP along with the undersigned were Anthony Abate, President & Chief Technology Officer, and Joseph Polito, Director of Telecommunications Products. A copy of SNiP LiNK's presentation materials are enclosed.

No. of Copies rec'd  
Listed 1/24/03

KELLEY DRYE & WARREN LLP

Ms. Marlene H. Dortch  
January 24, 2003  
Page 2

In accordance with Section 1.1026(b), an original and one copy of this notice is being provided.

Sincerely,



Steven A. Augustino

SAA/pab  
Enclosures

cc: Commissioner Kevin J. Martin  
Daniel Gonzalez

# SNiP LiNK, LLC

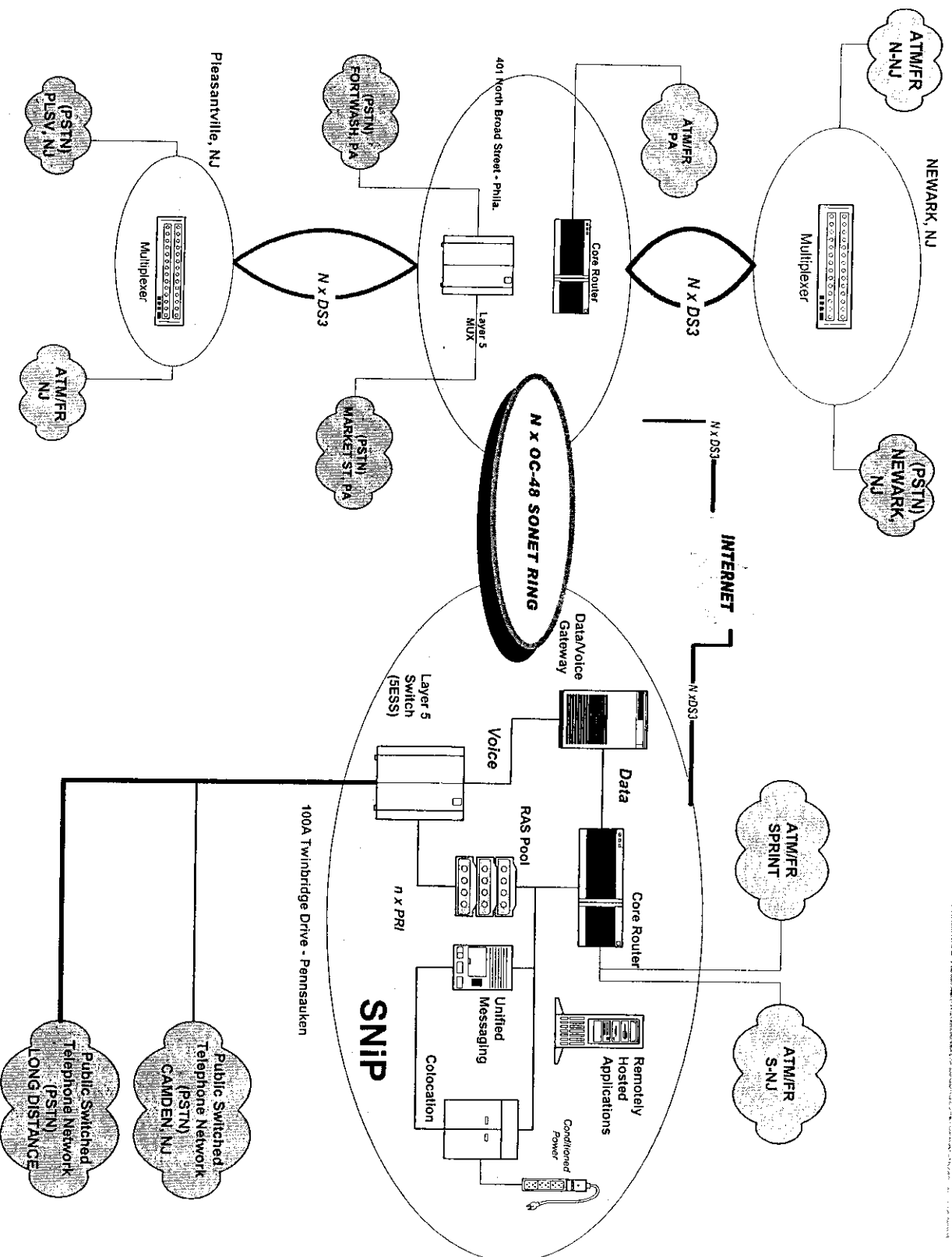
## *Ex Parte* Presentation

**UNE Triennial Review**  
**WCB Docket Nos. 01-338, 96-98, 98-147**  
**January 23, 2003**

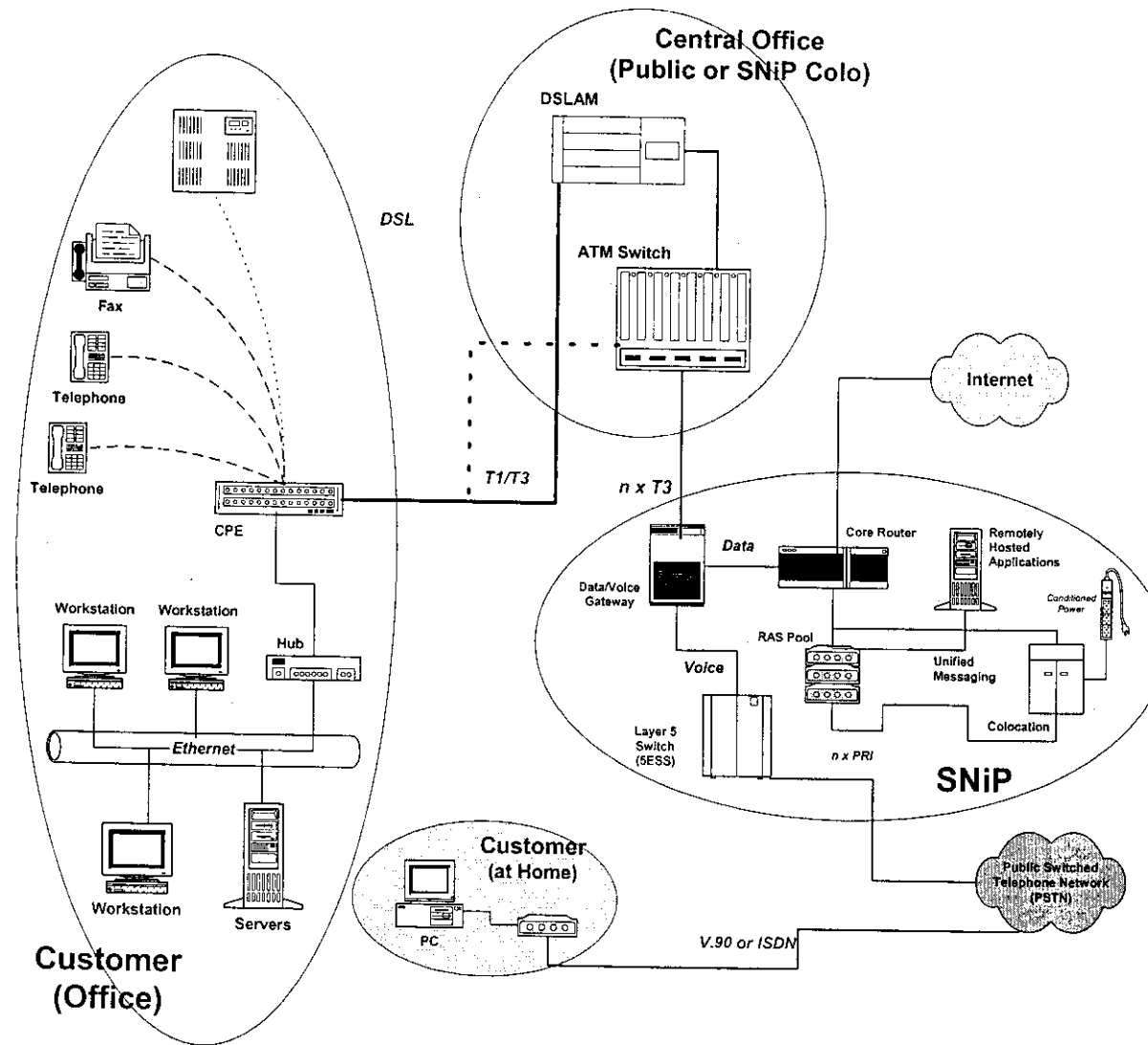


# About SNIp LiNK

- Founded in 1995, SNIp LiNK is a privately held ISP-CLEC serving New Jersey, Delaware and Southeastern Pennsylvania
- SNIp LiNK's network consists of a self-provisioned SONET ring between its Philadelphia, Pennsauken and Merchantville POIs and leased capacity to its Newark and Pleasantville POIs. No loop facilities, no metro fiber
- Customers include schools, small businesses and state agencies. SNIp LiNK offers converged voice and internet access products, typically replacing ILEC analog Centrex service
- **Profitable**



SNiP Link Network Diagram



# Integrated Communication Solutions

# EELs

EELs are **critical** to SNIp LiNK's ability to provide LEC services

➤ *only way* for SNIp LiNK to reach customers in areas such as Plymouth Meeting (Philadelphia suburb), Middletown, DE or Cape May, NJ

➤ No third party transport is available; special access is ***not*** economical

Alleged impact of EELs on special access/IXC service has not been substantiated

# EELs

If the Commission concludes limits are appropriate, SNIPLINK supports the proposal set forth in NuVox's ex partes

EELs should be ubiquitously available except to provide stand alone voice long distance

LEC services may be shown by

- Collocation *or its equivalent*

- Local interconnection trunks

- Tariffed LEC services



# EELs

EELs must be available for integrated T-1 products. No data penalty

No traffic measurement criteria

No onerous audit rights. Audits generally will be unnecessary

No “commingling” or other LEC-imposed restrictions

# Transport

- Availability of transport alternatives must be determined on a route-specific basis
- No ILEC gaming: “A to B” route may not be broken into physical “segments” to avoid UNE availability
- Must have 3 actual wholesale alternatives on the route
- Self-provisioning or new construction is too costly and time consuming

# Transport

Alternatives must be available as a practical, economic and operational matter  
No restrictions on use with other UNEs or LEC services

Cross-connects must be feasible, reasonably priced and meet service quality requirements

Multi-vendor interconnection procedures must be feasible; duplicative costs must not be prohibitive

# Conclusion

EELs are critical to SNIp LiNK's ability to offer services

The FCC should make EELs ubiquitously available for LEC services and integrated products

Transport should be analyzed on a route-specific basis

- Transport alternatives must be available from a practical, economic and operational perspective. Theoretical alternatives are insufficient